

REMARKS

Claims 1-20 were examined in the Office Action mailed July 7, 2006. The Abstract stands objected to for use of legal phraseology. The Drawings stand objected to as not demonstrating every feature of the invention as specified in the claims. Claims 1-12 stand rejected as indefinite. Claims 13 and 14 stand rejected as anticipated by Applicant's admitted prior art (APA). Claims 15-20 stand rejected because the claimed invention is directed to non-statutory subject matter.

Claims 15-20 are amended to address the § 101 rejection. Claim 1 is amended to provide proper antecedent basis for "the output of the logic gate", thereby addressing the § 112 rejection. Further consideration is requested.

A. Objection to the Specification is Addressed.

The Abstract has been amended by removal of the phrase "of the invention" and inclusion of reference to an encoder which incorporates an encoding method . Other minor stylistic changes are also made. Withdrawal of the objection to the Specification is respectfully requested.

B. Objection to the Drawings is Addressed.

The objection to the drawings is respectfully traversed, as FIG. 4 already shows "a control input coupled to the output of the logic gate." A multiplexer 36 having a standard symbol for a multiplexer is shown in FIG. 4, wherein the line coming out of the "side" of the multiplexer symbol, as is known in the art, is the control input that is used to select between the first and second inputs of the multiplexer. The control input receives a signal from logic gate 32 on line or node 48. Page 6, lines 19-21 of the specification reference a "control signal" on "node 48". Thus, a set of replacement Drawings are not required. Withdrawal of the objection is respectfully requested.

C. § 112 Rejection of Claims 1-12 is Addressed.

The indefiniteness rejection of claims 1-12 is respectfully traversed. As described above relative to the drawing objection, multiplexer 36 having a standard symbol for a multiplexer is shown in FIG. 4, wherein the line coming out of the "side"

of the multiplexer symbol, as is known in the art, is the control input that is used to select between the first and second inputs of the multiplexer. The control input receives a signal from logic gate 32 on line or node 48. Page 6, lines 19-21 of the specification reference a "control signal" on "node 48".

Thus, claim 1 is thus fully supported by the specification and drawings and is not indefinite. Claims 2-12 are also deemed to be allowable as being dependent upon allowable base claim 1. Withdrawal of the rejection of claims 1-12 is therefore respectfully requested.

D. § 102 Rejection of Claims 13 and 14 over *Applicant Admitted Prior Art (APA)* is Addressed.

The anticipation rejection of claims 13 and 14 over *Applicant Admitted Prior Art (APA)* is respectfully traversed.

The only reference in the specification to APA is FIG. 1 and the bridging paragraph between pages 1 and 2. Despite this, the Office cites the following provisions as disclosing the limitations of claim 13 in the APA:

1. Bridging paragraph, pages 1 and 2—APA;
2. Page 2, lines 25, 26—SUMMARY OF THE INVENTION;
3. Page 4, lines 7-8—DETAILED DESCRIPTION;
4. Bridging paragraph, pages 2 and 3—SUMMARY OF THE INVENTION; and
5. Page 4, lines 7, 8—DETAILED DESCRIPTION.

Citations 2-5 all describe the present invention, not the APA.

Accordingly, it is not understood how the prior art encoding scheme meets the claim limitations set forth in claims 13 and 14. The Examiner's cooperation is respectfully requested to further describe exactly how claim 13 is anticipated by or maps into the prior art encoding method set forth in FIG. 1.

Unless further clarification can be given as to how exactly claims 13 and 14 are anticipated by the prior art encoding method set forth in FIG. 1, withdrawal of the rejection of claims 13 and 14 is proper and respectfully requested.

E. § 101 Rejection of Claims 15-20 is Addressed.

Claims 15-20 have been amended to recite a "data encoder" for the purpose of addressing the rejection of those claims under 35 USC § 101. By the Examiner's own admission, the specification is enabling for an encoder, and therefore no new matter has been added to claims 15-20.

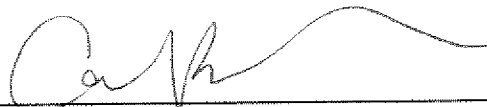
Withdrawal of the rejection of claims 15-20 is therefore respectfully requested.

F. Conclusion.

In view of the above amendments, claims 1-20 are in form for allowance, and such action is respectfully requested. Should any issues remain, the Examiner is kindly asked to telephone the undersigned.

Respectfully submitted,

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